

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

IN RE:	:	
	:	CHAPTER 11
RSTZ TRANSPORT INC	:	CASE NO. 25-20123
Debtor.	:	

NOTICE OF PLEADING, DEADLINE TO OBJECT AND FOR HEARING

The Falcone Law Firm, Debtor's Counsel, has filed a Motion to Employ The Falcone Law Firm. PC as Debtor's Attorney on January 31, 2025. Pursuant to Third Amended and Restated General Order No. 24-2018, the Court may consider this matter without further notice or a hearing if no party in interest files a response or objection within **twenty-one (21) days, or another time set by Bankruptcy Rules or Local Rules** from the date of service of this notice. **If you object to the relief requested in this pleading, you must timely file your objection with the Bankruptcy Clerk at U.S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303 and serve a copy on the movant's attorney, at 363 Lawrence Street, Marietta, GA 30060 and any other appropriate persons by the objection deadline. The response or objection must explain your position and be actually received by the Bankruptcy Clerk within the required time.**

A hearing on the pleading has been scheduled for the **27th day of February 2025**. The Court will hold a hearing on the **Motion at 10:30 A.M. on February, 2025 in Courtroom 103** U.S. Courthouse, 121 Spring Street, S.W., Gainesville, Georgia 30501, which may be attended in person or via the Court's Virtual Hearing Room. You may join the Virtual Hearing Room through the "Dial-in and Virtual Bankruptcy Hearing Information" link at the top of the homepage of the Court's website, www.ganb.uscourts.gov, or the link on the judge's webpage, which can also be found on the Court's website. Please also review the "Hearing Information" tab on the judge's webpage for further information about the hearing. You should be prepared at the hearing via video, but you may leave your camera in the off position until the Court instructs otherwise. Unrepresented persons who do not have video capability may use the telephone dial-in information on the judge's webpage.

If an objection or response is timely filed and served, the hearing will proceed as scheduled. **If you do not file a response or objection within the time permitted, the Court may grant the relief requested without further notice and without holding the scheduled hearing** provided that an order approving the relief requested is entered at least one business day prior to the scheduled hearing. If no objection is timely filed, but no order is entered granting the relief requested at least one business day prior to the hearing, the hearing will be held as scheduled.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

This 31 day of January 2025

/s/ IAN M. FALCONE

Ian M. Falcone
GA BAR NO. 254470
Attorney for Debtor

THE FALCONE LAW FIRM, PC
363 Lawrence Street
Marietta, GA 30060
770-426-9359
imf@falconefirm.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

IN RE:	:	
	:	CHAPTER 11
RSTZ TRANSPORT INC	:	CASE NO. 25-20123
Debtor.	:	

**APPLICATION FOR APPROVAL OF EMPLOYMENT OF
THE FALCONE LAW FIRM, P.C. AS DEBTOR'S ATTORNEY**

COMES NOW, RSTZ Transport Inc , Debtor and Debtor-in-possession in the above-styled Chapter 11 case ("Debtor"), and, pursuant to 11 U.S.C. §327 and Federal Rule of Bankruptcy Procedure 2014, respectfully represents:

1. This case was commenced by the filing of a voluntary Chapter 11 petition on January 31, 2025.
2. In order to administer this case in a proper, efficient and economical manner, the Debtor shows that it is necessary to retain counsel to represent the Debtor as Debtor-in-Possession, including the rendering of the following legal services:
 - a. To advise, assist, and represent the Debtor with respect to the Debtor's rights, powers, duties, and obligations in the administration of this case, the operation of the business of the Debtor in accordance with applicable bankruptcy law, the disposition of any assets which are not necessary for an effective reorganization on accordance with applicable bankruptcy law, the management of property of the Debtor in accordance with applicable bankruptcy law, and the collection, preservation and administration of assets of the Debtor's estate;

- b. To advise, assist and represent the Debtor in connection with analysis of the assets, liabilities and financial condition of the Debtor and other matters relating to the business of the Debtor and the preparation and filing of schedules, lists and statements, compliance with the United States Trustee's guidelines, and filing of a Plan of Reorganization;
- c. In connection with the filing of a Plan of Reorganization, to advise, assist, and represent the Debtor, with regard to (i) negotiations with parties in interest concerning a plan; (ii) the formulation, preparation, and presentation of a plan; (iii) any and all matters relating to confirmation of a plan; (iv) review and analysis of the requirements of the Bankruptcy Code with regard to the foregoing, including without limitation the mandatory and optional; provisions of a plan; classification and impairment of creditors, any equity security holders, and other parties in interest; formulation, preparation, and presentation of a Disclosure Statement, notice requirements; and similar matters; and (v) assistance, advice and representation with regard to compliance with applicable legal requirements;
- d. To advise, assist and represent the Debtor with regard to objections to or subordination of claims and with regard to other litigation as required by the Debtor; and to advise and represent the Debtor with regard to the review and analysis of any legal issues incident to any of the foregoing;
- e. To advise, assist and represent the Debtor with regard to the investigation of the desirability and feasibility of the rejection or assumption and potential assignment of any executory contracts or unexpired leases and to provide review and analysis with

regard to the requirements of the Bankruptcy Code and Federal Rules of Bankruptcy (“Bankruptcy Rules”) and the estate’s rights and powers with regard to such requirements, and the initiation and prosecution of appropriate proceedings in connection therewith;

- f. To advise, assist and represent the Debtor with regard to all applications, motions or complaints concerning reclamation, adequate protection, sequestration, relief from stays, use of cash collateral, disposition or other use of assets of the estate, and all other similar matters;
- g. To advise, assist and represent the Debtor with regard to the sale or other dispositions of any assets of the estate, including without limitation the investigation and analysis of the alternative methods of effecting same, employment of auctioneers, appraisers or other person to assist with regard thereto; and the preparation, filing and service as requires of appropriate motions, notices and other pleadings as may be necessary to comply with the Bankruptcy Code and Bankruptcy Rules with regard to all of the foregoing;
- h. To prepare pleadings, applications, motions, reports and other papers incidental to administration, and to conduct examinations as may be necessary pursuant to Federal Rule of Bankruptcy Procedure 2004 or as otherwise permitted under applicable law;
- i. To provide support and assistance to the Debtor with regard to the proper receipt, disbursement and accounting for funds and property of the estate; and
- j. To perform any and all other legal services incident or necessary to the proper

administration of this case and the representation of the Debtor in the performance of the Debtor's duties and exercise of the Debtor's rights and powers under the Bankruptcy Code and Bankruptcy Rules.

4. The Debtor seeks authorization to employ **The Falcone Law Firm, P.C. (the "Firm")**, 363 Lawrence Street, Marietta, GA 30060, (770) 426-9359, as its reorganization counsel, to provide services as set forth herein.

5. The Debtor shows that the attorneys practicing with said law firm are admitted or have applied for admission to practice in this Court or in the United States District Court for the Northern District of Georgia, have knowledge and experience with regard to the matters in which the firm is to be engaged, and are qualified to represent the Debtor. All attorneys who will appear in this Court are or will be admitted to practice in this Court. Attached to Firm's Bankruptcy Rule 2014 Verification, attached hereto as Exhibit "A" is a statement with regard to its qualifications and the terms and conditions of its employment, including the basis upon which compensation and reimbursement of expenses is to be determined. No compensation will be paid by debtor to said Firm except upon application to and approval by the Bankruptcy Court after notice and hearing required by law.

6. The Debtor has agreed to pay compensation to the Firm, as allowed by the Court, based on the time and value of services rendered, taking into account hourly rates of \$450.00 per hour for Senior attorneys, \$325.00 for Associate Attorneys, 200.00 for Paralegals, and \$100.00 for Administrative Assistants and other factors as set forth in the attached Federal Rule of Bankruptcy Procedure 2014 Verification.

7. The Firm has no connections with the Debtor, its creditors, shareholders,

attorneys, accountants, and other parties in interest, or any person employed in the office of the United States trustee, except as set forth herein.

8. To the best of the Debtor's knowledges, the Firm represents no interest adverse to the Debtor or this estate in the matters upon which the Firm is to be engaged, the Firm is a disinterested person under 11 U.S.C. 101(14) with regard to the matters upon which it is to be engaged, and its appointment will be in the best interests of this estate, the debtor, creditors, and other parties-in-interest.

WHEREFORE, the Debtor prays for authority to retain and employ THE FALCONE LAW FIRM, P.C. as its reorganization counsel as set forth herein and for such other and further relief as may be just and proper.

A handwritten signature in blue ink, appearing to read 'Richard Bethune', is written over a horizontal line.

RSTZ Transport Inc
By Richard Bethune, CEO

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

IN RE:	:	
	:	CHAPTER 11
RSTZ TRANSPORT INC	:	CASE NO. 25-20123
Debtor.	:	

EXHIBIT "A"

RULE 2014 VERIFICATION WITH REGARD TO EMPLOYMENT OF THE FALCONE LAW FIRM, P.C.
AND STATEMENT PURSUANT TO RULE 2016(b)

The undersigned hereby declares penalty of perjury:

1. I am a member of the law firm of THE FALCONE LAW FIRM, P.C. a professional corporation engaged in the practice of law with offices at 363 Lawrence Street, Marietta, Georgia 30060. All attorneys practicing with the Firm are attorneys at law duly admitted to practice in the State of Georgia and in the United States District Court, Northern District of Georgia.
2. The Firm has been asked to represent the Debtors in the Chapter 11 case of RSTZ TRANSPORT INC to the best of my knowledge, the Firm has no professional, business, or other connection with the aforementioned Debtor, its attorneys, its creditors or party in interest in the case or any person employed in the office of the United States trustee, except as is set forth in the foregoing Application or herein. The Firm represents no interest which would be adverse to the estate of the Debtor in connection with the matters upon which the Firm is to be engaged.

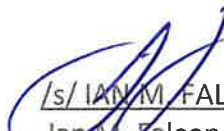
3. Per our Contract to Employ Attorney which describes the terms and conditions of employment, including hourly rates currently charged by the Firm of \$450.00 per hour for Senior attorneys, \$325.00 for Associate Attorneys, \$200.00 for Paralegals, and \$100.00 for Administrative Assistants.

4. The Firm has received \$40,000.00 from the Debtor. This deposit will only be used to cover a shortfall, if any, in the payment of court approved fees. Any unused portion will be returned to Debtor.

5. The foregoing Application sets forth the compensation paid or promised in connection with its representation in this matter.

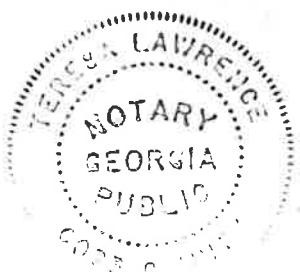
6. The Firm will not expect or receive any compensation from the estate except upon application to and approval by the Bankruptcy Court after notice and hearing.

Dated this 31 day of January 2025


/s/ IAN M. FALCONE
Ian M. Falcone
Georgia Bar. No. 254470

Sworn to and subscribed before me
This 31st day of January 2025


Notary Public



TERESA LAWRENCE
Notary Public, Cobb County, Georgia
My Commission Expires April 9, 2025

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

IN RE: :
: CHAPTER 11
RSTZ TRANSPORT INC :
: CASE NO. 25-20123
Debtor. :

CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing **APPLICATION FOR APPROVAL OF EMPLOYMENT OF THE FALCONE LAW FIRM, P.C. AS DEBTOR'S ATTORNEY** using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Filing program:

David Weidenbaum David.s.weidenbaum@usdoj.gov	
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This is to further certify that I have this day served the **APPLICATION FOR APPROVAL OF EMPLOYMENT OF THE FALCONE LAW FIRM, P.C. AS DEBTOR'S ATTORNEY** by first class, United States mail, with postage prepaid fully thereon, to the following parties on the attached sheets:

This 31 day of January 2025.

/s/ IAN M. FALCONE
Ian M. Falcone
Georgia Bar No. 254470
Attorney for Blake Blomquist

THE FALCONE LAW FIRM, P.C.
363 Lawrence Street
Marietta, GA 30060
(770) 426-9359
imf@falconefirm.com

Label Matrix for local noticing
113E-2
Case 25-20123
Northern District of Georgia
Gainesville
Fri Jan 31 14:56:41 EST 2025

Amur Financial
10 Bank Street
Suite 810
White Plains, NY 10606-1933

Apex Commercial Capital
1 Walnut Grove Drive
Suite 300
Horsham, PA 19044-2201

Ariel Bouskila, Esq
Berkovitch & Bouskila PLLC
1545 US 202, Ste 101
Pomona, NY 10970-2951

Berkshire Mastercard
60 State Street
Boston, MA 02109-1800

Bruce D. Legere
101 Lakeside Ave
Webster, MA 01570-3597

Bruce J Dubois, Jr
30 Winton Street
Cranston, RI 02910-4017

Capital One Mastercard
ATTN: Back Office Specialist
7933 Preston Road
Plano, TX 75024-2359

Capital one
PO Box 30285
Salt Lake City, UT 84130-0285

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

Corporation Service Co
PO Box 2576
Springfield, IL 62708-2576

DMKA LLC
345 Seventh Ave
New York, NY 10001-5050

Daimler Truck Finance
14372 Heritage Parkway
Suite 400
Fort Worth, TX 76177-3300

Daimler Truck Financial
PO Box 4161
Carol Stream, IL 60197-4161

Daimler Truck Financial
PO Box 901
Roanoke, TX 76262-0901

David Bucklin
650 Pecan Park Rd
Jacksonville, FL 32218-1602

David Ford
168 Liberty Hwy
Putnam, CT 06260-3113

ENGs Commercial Finance
3000 Galleria Circle
Ste 800
Birmingham, AL 35244

(p)MITSUBISHI HC CAPITAL AMERICA INC
1 PIERCE PLACE SUITE 1100 WEST
ITASCA IL 60143-3149

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

Ian M. Falcone
The Falcone Law Firm, P.C.
363 Lawrence Street
Marietta, GA 30060-2056

Forklift Select LLC
12875 East 42nd Ave
Ste 50
Denver, CO 80239-4841

Forward Finance
53 State Street
20th Floor
Boston, MA 02109-2820

Geoffrey Staley
2100 Nineth Street SW
Altoona, IA 50009-1069

Huntington National Bank
PO Box 182519
Columbus, OH 43218-2519

Internal Revenue Service
P. O. Box 7346
Philadelphia, PA 19101-7346

James LaChance
3 Premier Rd
Charlton, MA 01507-1341

James Zieminski
96 Beacon Ave
Holyoke, MA 01040-2457

Jennifer Johnson
8 Starzec Drive
Webster, MA 01570-5219

John Fiorillo
Unruh Turner Burk Frees
PO Box 515
West Chester, PA 19381-0515

Joseph Cogean Jr
2515 NE Heritage Creek Drive
Lawton, OK 73507-3312

Kenneth Gravel
6 George Street
Putnam, CT 06260-2106

Leaf Capital Funding LLC
2005 Market Street
14th Floor
Philadelphia, PA 19103-7009

Matthew Buck
8777 West Maule Ave
Unit 2088
Las Vegas, NV 89148-4879

Mercedes-Benz Financial Svs
14372 Heritage Pkwy
Fort Worth, TX 76177-3300

Michael A Grendell
130A North Highpoint Blvd
Boynton Beach, FL 33435-6764

Michael Downey
1 Chenango Street
Oxford, NY 13830-3405

Michael Grendell
130A North Highpoint Blvd
Boynton Beach, FL 33435-6764

(p)NAVITAS CREDIT CORP
ATTN JOYCE MCKULKA
201 EXECUTIVE CENTER DR SUITE 100
COLUMBIA SC 29210-8410

Ocean State oil Inc
123 Ocean State Drive
North Kingstown, RI 02852-8525

OnDeck
4700 W. Daybreak Pkwy
Ste 200
South Jordan, UT 84009-5133

Osvaldo Garcia
151 Eastern Ave
Apt 1
Worcester, MA 01605-2895

PNC Bank
655 Business Center Drive
suite 250
Hatboro, PA 19040

Paccar Financial Corp
2180 Satellite Blvd
200
Duluth, GA 30097-4927

Patrick Sheehan
10 Clara Street
Worcester, MA 01606-3003

Pawnee Leasing
3801 Automation Way
Suite 207
Longmont, CO 80501

Peter Lemos
5055 S. Fort Apache Rd
unit 267
Las Vegas, NV 89148-1557

QFS Capital LLC
7901 4th St N
Ste 13070
Saint Petersburg, FL 33702-4305

RSTZ Transport Inc
4110 Balsam Bark Drive
Cumming, GA 30028-3676

Richard Bethune
4110 Balsam Bark
Cumming, GA 30028-3676

Riviera Finance of Texas Inc
3635 Quakerbridge Road
Trenton, NJ 08619-1247

Secretary of the Treasury
15th & Pennsylvania Avenue, NW
Washington, DC 20200

(c)THE SMARTER MERCHANT
16 MADISON SQ W FL 11
NEW YORK NY 10010-0061

The Smarter Merchant
460 Park Ave
New York, NY 10022-1906

Trans Advantage
1 Premier Drive
Fenton, MO 63026-2989

Trans Advantage
One Premier Drive
Fenton, MO 63026-2989

Trio Capital
330 Fellowship Road
suit 100
Mount Laurel, NJ 08054-1207

U. S. Securities and Exchange Commission
Office of Reorganization
Suite 900
950 East Paces Ferry Road, NE
Atlanta, GA 30326-1382

US Small Business Administration
2 North Street
Suite 320
Birmingham, AL 35203

Univest Capital Inc
1041 York Road
Warminster, PA 18974-2008

VState Filings, as representative
301 Mill Road U5
Hewlett, NY 11557-1232

Wikinger II LLC
1 Mercantile Street
Suite 510
Worcester, MA 01608-3108

William R Robinson
5262 Trekell Street
North Port, FL 34287-2803

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Chase Visa
PO Box 15298
Wilmington, DE 19850

(d)Chase Visa
PO Box 15299
Wilmington, DE 19850

(d)Chase ink Visa
PO Box 15123
Wilmington, DE 19850

ENGS Commercial Finance
PO Box 128
Itasca, IL 60143

Elan Financial Services
PO Box 6353
58125

(d)Mitsubishi HC Capital
1 Pierce Place
Suite 1100 West
Itasca, IL 60143

(d)Mitsubishi HC Capital America Inc
PO Box 71347
Chicago, IL 60694

Navitas Credit Corp
201 Executive Center Drive
Suite 100
Columbia, SC 29210

Addresses marked (c) above for the following entity/entities were corrected
as required by the USPS Locatable Address Conversion System (LACS).

The Smarter Merchant
1115 Broadway
11th Floor
New York, NY 10010

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Corporation Service Company
PO Box 2576
Springfield, IL 62708-2576

End of Label Matrix	
Mailable recipients	62
Bypassed recipients	1
Total	63